

--Claim 26 The stainproofing agent according to claim 1, wherein copolymer (C) has a weight-average molecular weight of from 1,000 to 1,000,000.--

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Cont  
--Claim 27 The stainproofing agent according to claim 1, wherein copolymer (C) has a weight-average molecular weight of from 100,000 to 200,000.--

REMARKS

Support for new claims 14-27 is found in the original claims, as well as at pages 3-14 of the specification.

Presently, claims 1-27 are pending in the above-identified application.

Submission that Substitute Specification is not Required

It is submitted that no substitute specification is required for the above-identified application, since the alleged improper "idiomatic English" is clearly not of a nature so as to render the present application "difficult to consider" by the Examiner as required under 37 C.F.R. § 1.125(a) and MPEP 608.01(q). The Office Action does not identify any basis for a "difficulty" in considering this application, and it appears that the English used

in this application is predominantly idiomatic. Further, no criticisms concerning compliance with 37 C.F.R. § 1.52(a) or (b) have been identified in the Office Action. It is requested that the Examiner reconsider and withdraw this requirement.

Issues Under 35 U.S.C. § 112, Second Paragraph

Claims 1-13 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Specifically, it is stated in the Office Action dated January 22, 1999 that the language describing the structure units (I)-(VI) is indefinite; the use of negative language, such as "containing no fluorine", is indefinite; and the use of terms such as "fluoroalkyl", "alkylene", "lower alkyl", "aromatic", etc. is indefinite.

Claims 1-3, 5, 9, 12 and 13 have been amended in response to the above-noted issues under 35 U.S.C. § 112, so as to clarify the present invention. It is submitted that original claims 1-13, as amended, as well as new claims 14-27 comply with all definiteness requirements under 35 U.S.C. § 112, second paragraph. A person skilled in this technological area easily understands the scope of the present invention upon reading the present claims in the context of the description of the specification. The fact that a term such as "fluoroalkyl" is used does not establish

indefiniteness, since the breadth of this term and the claim cannot be equated with indefiniteness. *In re Miller*, 169 USPQ 597 (CCPA 1971); MPEP 2173.04, pg. 2100-164. Therefore, it is submitted that all of the presently pending claims comply with all requirements of 35 U.S.C. § 112, and it is requested that the above rejection be withdrawn.

Removal of Issue Under 37 C.F.R. § 1.75(c)

Claims 12 and 13 have been objected to under 37 C.F.R. § 1.75(c) as allegedly being of improper dependent form. It is submitted that claims 12 and 13 have been amended, so as to comply with dependency requirements under 37 C.F.R. § 1.75(c). Consequently, it is requested that this objection be withdrawn.

It is submitted that the present claims recite patentable subject matter and comply with all necessary requirements, such that this application should be placed into condition for allowance.

If the Examiner has any questions concerning the above matters, please contact Applicants' representative, Andrew D. Meikle, in the Washington Metropolitan area at the telephone number listed below.

SERIAL NO.: 09/008,484

Pursuant to 37 C.F.R. §§ 1.17 or 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a response in connection with the present application and the required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this concurrent and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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